

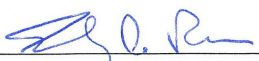
MEMO ENDORSED

September 23, 2020

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Plaintiffs' request to adjourn the fairness hearing is granted. The fairness hearing is rescheduled for April 2, 2021 at 11:30 a.m. The Court further directs that the interim deadlines as set forth in Appendix A to the Order Providing for Notice to the Settlement Classes and Preliminarily Approving the Plan of Allocation, Doc. 652 at 11, remain in effect.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: 10/02/2020
New York, New York

Re: In re SSA Bonds Antitrust Litigation, Case No. 1:16-cv-3711-ER

Dear Judge Ramos:

This letter contains (i) a request by Plaintiffs, pursuant to Section 1.E of Your Honor's Individual Practices, to adjourn the December 3, 2020 fairness hearing and to otherwise clarify the schedule for final approval of the pending settlements; and (ii) a joint update regarding the Settling Defendants' production of contact information necessary to provide notice to the settlement classes.

Schedule for the Remaining Events and Submissions Relating to the Settlements

In its July 15, 2020 Order Providing for Notice to the Settlement Classes and Preliminarily Approving the Plan of Allocation (Dkt. No. 652) (the "Order"), this Court approved the schedule for interim deadlines leading up to the final fairness hearing. However, because the Settling Defendants were still gathering the needed Class member contact information, the deadlines were framed in relation to one another, rather as dates certain. For instance, the "Notice Date" is defined as being 15 days after Plaintiffs to the Court that certify the contact information had been received. Dkt. No. 652, ¶ 11. Class members then are to be given 95 days from the "Notice Date" to file any objections. *Id.* ¶ 22.

Also in the Order, the Court set a fairness hearing date of December 3, 2020. *Id.* ¶ 25.

Unfortunately, due to the unanticipated length of time it has taken to receive the contact information, *see* Dkts. Nos. 653, 654, 656, 657, the fairness hearing date is incompatible with the interim milestones. That is, there is no longer sufficient time between today's date and December 3, 2020 to provide Class members the same amount of time to receive notice of the settlements, analyze their options, and decide what to do in response.

Plaintiffs are in the process of reviewing the final productions of contact information referenced below, in the hopes of being able to certify to the Court shortly that Plaintiffs are prepared to proceed with the notice program. *See* Dkt. No. 652, ¶ 10. Because Plaintiffs need to know what dates and deadlines to include in the to-be-mailed notice forms, Plaintiffs respectfully request an order (1) adjourning the December 3, 2020 fairness hearing date, to be re-scheduled after Plaintiffs certify to the Court receipt of the necessary Class member contact information, and (2) re-confirming that the schedule for all interim milestones will remain as set forth in the Order. *See* Dkt. No. 652, ¶¶ 12-24.

This is the first time Plaintiffs have requested an adjournment of the fairness hearing date. There are no known 'adversaries' at this time to object or consent to this adjournment, as absent class

members have not yet received notice of the settlements. The Settling Defendants consent to this adjournment.

Status Update

In addition, Plaintiffs, together with Settling Defendants HSBC, and Deutsche Bank, write jointly in response to the Order to submit a status update as to the efforts to obtain from those Settling Defendants the reasonably available Class member contact information to be used to effectuate the proposed notice plan. Dkt. No. 652, at 2. As a reminder, Plaintiffs understand they have already received all reasonably accessible contact information from the remaining settling defendant, Bank of America. Accordingly, Bank of America is not part of this submission.

HSBC Bank plc and HSBC Securities (USA) Inc. (“HSBC”) state as follows: Since the parties’ September 9 report, HSBC made three productions containing contact information to counsel for the Plaintiffs, on September 11, September 15, and September 22, respectively. HSBC believes that its rolling production of reasonably available contact information is now complete.

Plaintiffs respond to HSBC as follows: Plaintiffs are reviewing HSBC’s most recent production of contact information to determine whether HSBC has satisfied its obligations under the settlement agreement.

Deutsche Bank states as follows: Deutsche Bank has worked diligently to identify any other sources of contact information for certain additional counterparties where contact information was not readily available within the transactional data sets already produced by Deutsche Bank. Deutsche Bank has completed its work, and produced the additional information on September 23, 2020.

Plaintiffs respond to Deutsche Bank as follows: Plaintiffs are reviewing the additional information produced by Deutsche Bank on September 23, 2020 to determine whether Deutsche Bank has satisfied its obligations under the settlement agreement.

Respectfully submitted,

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